

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 16-30 are pending in the present application. Claims 16, 19, and 22-26 are amended; and Claims 27-30 are added by the present amendment. No new matter is added.¹

In the outstanding Office Action, Claims 16-26 were provisionally rejected for obviousness-type double patenting in view of U.S. Patent No. 6,628,335; and Claims 16-21 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,150,930 to Cooper.

Regarding the provisional double patenting rejection of Claims 16-26 as unpatentable over U.S. Patent No. 6,628,335, Applicants submit herewith a Terminal Disclaimer disclaiming the terminal part of any patent issued on the present application which extends beyond the term of U.S. Patent No. 6,628,335. Accordingly, Applicants respectfully request that the provisional double patenting rejection of Claims 16-26 be withdrawn.

Addressing now the rejection of Claims 16-21 under 35 U.S.C. § 102(b) as anticipated by Cooper, that rejection is respectfully traversed.

Though amended independent Claims 16 and 19 are different in scope, each of those claims recite an image sensor surrounded by a plurality of light sources each configured to emit invisible lights. The remaining pending claims depend from Claims 16 and 19.

The outstanding Office Action cites Cooper's CCD image sensor 34 as teaching the claimed image sensors; and cites Cooper's illuminators 26 as teaching the claimed light

¹ For support, see the originally-filed claims; and see Figures 4A and 8A-H plus their related description.

sources. However, as shown by Figures 2, 5, and 6, the CCD image sensor 32 (which is contained within the video camera 32) is not surrounded by the illuminators 26.²

Accordingly, for the above-stated reasons, Applicants respectfully request that the rejection of Claims 16-26 under 35 U.S.C. § 102(b) be withdrawn.

New Claims 27-30 are added to recite more detailed aspects of the invention. Each of Claims 27 and 28 recites that a number of the light sources is more than or equal to three. Only two illuminators 26 are disclosed by Cooper. Each of Claims 28 and 29 recites that the light sources are arranged symmetrically about a center of the image sensor. As shown by Cooper's Figure 2, the illuminators 26 are not symmetrically arranged about a center of the CCD sensor 34. Accordingly, Applicants respectfully submit that new Claims 27-30 further patentably define over Cooper.

² Cooper, Figure 6 and column 3, lines 37-38.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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